

Remarks

Further consideration of this application is respectfully requested. Claims 19-21, 24, 26, 27, 34 and 36 are presented for further examination.

This Amendment is submitted in response to the Final Rejection dated March 4, 2005. In that action, the Examiner rejected claims 19-21, 24, 26, 27, 34 and 36 under 35 U.S.C. § 103(a) as unpatentable over “Sears” in view of “Doyle”. The Examiner has argued that Sears teaches the method of selling goods, but does not reveal the identity of the suppliers. The Examiner also states that Sears sells numerous manufacturers’ products and that they also resell products manufactured by others under the Sears brand name, such as Kenmore. The example used by the Examiner is that Whirlpool is resold to the public under the Sears brand name “Kenmore”, and that the average consumer has no idea that someone else has manufactured these products. The Examiner also argues that the Craftsman line of tools is manufactured by a supplier which remains anonymous to the consumer during and after the sale.

The examples given by the Examiner constitute just the opposite of what Applicant has claimed. Applicant’s claims are directed to a system that identifies the manufacturer and other product information so that the consumer knows the type and quality of goods it is buying online, but keeps the identity of the distributor, who is not a manufacturer, hidden.

For example, Applicant’s claims recite “automatically generating entries in said computer business system that include said sales price, said product identification information, said name of said manufacturer of said goods . . .” In addition, claim 19 recites “providing a listing of said goods from said entries on said computer business system without revealing the identity of said distributors so that said distributors remain anonymous to purchasers at all times while said goods are listed on said computer business system and after said goods are sold.”

The purpose of identifying the manufacturer and keeping the distributor anonymous is so that the purchaser knows the type and quality of goods that it is purchasing (by knowing the source of the goods, i.e., the name of the manufacturer), while allowing the distributor to unload goods in an online system without revealing the identity of the distributor, so that the distributor’s pricing structure in its normal sale of

goods is not affected. For example, the electronic blind supplier open commerce computer system allows a distributor to unload goods that it has in inventory at a reduced price without otherwise affecting its pricing structure for future sales. This limitation is also set forth in the claims. Claim 19 recites “so that said distributors remain anonymous to purchasers at all times while said goods are listed on said computer business system and after said goods are sold, so that said distributors may sell goods on said electronic blind supplier open commerce computer business system without affecting a pricing structure established by said distributors for said goods.”

The Sears article and the examples given by the Examiner, as pointed out above, hide the name of the manufacturer, such as Whirlpool, and make known the name of the distributor, i.e., Sears. The same is true for the Craftsman tool example provided by the examiner. These examples are the opposite of what is claimed in claim 19, which includes all of the dependent claims. It could be argued that the term “supplier” and “manufacturer” are synonymous. In that regard, Applicant has replaced the term “supplier” with “distributor” which finds support in the specification on page 7, line 20, and page 9, line 29. To further clarify the term “distributor”, the claims have been amended to state “distributors, who are not manufacturers.” This amendment clearly distinguishes between the terms “manufacturer” and “distributor”.

Doyle discloses a computer integration network for channeling internal orders for goods within an organization through a centralized computer to various internal and external suppliers. In other words, Doyle discloses a standard computerized ordering system that is used to order products within a large company. The electronic requisitioning system of Doyle et al. channels requisition orders to internal suppliers and outside vendors and processes invoices using a centralized computer system. In accordance with Doyle et al., the customer accesses an electronic item catalog and requisition form to place an order that is transmitted to a central computer system. Requisitions are then segregated by the supplier and send as separate purchase orders to the appropriate internal suppliers and outside vendors. The outside vendors ship the items directly to the customer. Invoices are centrally processed and the customer receives a combined invoice for all items that are sent back through the central computer system.

The Doyle system, as stated above, is a standard computerized ordering system for ordering products within a corporation. The Doyle system is substantially different from the electronic blind supply open commerce computer business system set forth in claim 19. Doyle does not disclose “providing a listing of said goods from said entries on said computer business system without revealing the identity of distributors so that the distributors may remain anonymous to purchasers at all times.” There is no teaching in Doyle, whatsoever, of maintaining the anonymity of the distributors.

Hence, neither reference discloses, or teaches, in any fashion, anonymity of distributors. Further, claim 19 recites “so that said distributors remain anonymous to purchasers at all times while said goods are listed on said computer business system and after said goods are sold, so that said suppliers may sell said goods on said electronic blind supplier for commerce business system without affecting a pricing structure established by said suppliers for said goods.” There is clearly no teaching in Doyle of maintaining the anonymity of the distributor so that goods may be sold on the electronic blind supplier open commerce business system without affecting a pricing structure for the goods for that distributor. Again, this limitation is not taught, or suggested, in any fashion by Doyle or by Sears.

The reason why Doyle does not teach these limitations is that the system disclosed by Doyle is a completely different system which is used for a different purpose than the system set forth in Applicant’s claimed invention that is set forth in claim 19. Again, Doyle is a standard computerized ordering system for ordering goods, which can come from either an internal source within in a corporation or outside vendors. The invention claimed in claim 19 is an electronic blind supply open commerce computer business system which allows suppliers to sell goods without affecting a pricing structure established by suppliers for those goods by maintaining the anonymity of the suppliers, as recited in claim 19. Doyle is not concerned with protecting the pricing structure and has not recognized this as a problem, because Doyle is not attempting to unload excess inventory or selling its inventory at a different price for other reasons. For these reasons, claim 19 specifically distinguishes from both Doyle and Sears.

For these reasons, this application is now considered to be in condition for allowance and such action is earnestly solicited.

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Respectfully submitted,

COCHRAN FREUND & YOUNG LLC

By: 

William W. Cochran

Registration No. 26,652

2026 Caribou Drive, Suite 201

Fort Collins, CO 80525

Phone: (970) 492-1100

Fax: (970) 492-1101

Customer No.: 27479